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COMMISSION ON HUMAN RIGHTS
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Agenda item 6

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER THE COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII).

Written statement submitted by The World Federation of Democratic Youth, a non-governmental organization in consultative status (category I)

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[8 August 1996]

1. The World Federation of Democratic Youth (WFDY) is preoccupied by the bleak situation of human rights and fundamental freedoms in the Sudan. Since its ascendance to power in June 1989, the Government has unleashed a horrendous spate of fundamental rights violations on all segments of Sudanese society. The Government is especially targeting youth and students, trade unionists, all potential political opponents, as well as human rights and pro-democracy activists. The security apparatus was allowed a free hand to arrest, detain, torture and extrajudicially execute political opponents in special detention centres. Reports reaching WFDY confirmed that the notorious torture cells, known as "ghost houses" are still operational, holding dozens of students, youth, trade unionists and pro-democracy activists. The

situation with regard to fundamental rights violations is especially dire in the war affected zones in southern Sudan, the Nuba Mountains and the Beja area in eastern Sudan.

2. Although the Government claimed to have introduced political changes through parliamentary and presidential elections organized in March 1996, and to be undertaking a transition towards democratic governance, these changes fell short of addressing the real reasons behind human rights violations in the Sudan. The elections excluded the main political forces in the Sudan. They were hastily organized under emergency regulations which hardly provided a health political climate for free and fair elections. Since June 1989, the country has been ruled by presidential decrees. These decrees have curtailed the fundamental rights of the Sudanese people. The majority of these measures are still in place. Presidential Decree No. 1, for example, prohibits any sort of opposition to the National Salvation Revolution, as the regime used to call itself.

3. The Government continues to prohibit freedom of expression and association, as well as political pluralism. Special measures allow the Government to dismiss persons from public service, suspend newspapers, confiscate property and restrict freedom of movement. As the Government is still committed to its fundamentalist Islamic ideology and deformed model of the Islamic State, the legal framework in Sudan, which is based on the Government's own interpretation of Islamic jurisprudence, remains unchanged. Consequently, the rights of non-Muslims and women are subjected to serious violations and curtailment.

4. Violations of human rights and fundamental freedoms have been carried out with impunity since the courts of law are completely excluded from examining any actions or decisions taken by the Government under the present measures and regulations. Instead, special courts, known as "public order courts" composed of military personnel have been empowered with vast authority. Many people have been summarily sentenced by these courts without recourse to the right of appeal. The independence of the judiciary has been completely eroded and the executive invested with ultimate power over the appointment, dismissal, promotion and transfer of judges.

Arbitrary arrests and detention

5. On 8 June 1996, in a peaceful gesture, a group of Sudanese citizens representing the major political forces presented a memorandum to President Omer El Bashir, citing the deteriorating economic and social conditions in the country as the reason behind their move. The memorandum called on the Government to step down, restore political freedoms and allow an interim government to rule the country. Following the submission of the memorandum, President El Bashir dismissed its contents and declared: "The basic Islamic agenda of the regime will not change. Islam is the cornerstone of our policy and will not be changed. There will not be a return to multi-party democracy in the country. There will be no reversal of the basic policies of the regime". This clear rejection of multiparty democracy in the Sudan has removed hope for any meaningful reconciliation with the opposing political forces in the country.

6. Considering this peaceful move as a sign of disobedience, the Government embarked on a fierce campaign of arrest and detention of political opponents. The list of those arrested includes Mohammed al-Hafiz (45 years), advocate (one of the signatories of the 8 June memorandum); Taha Surig (40 years), advocate; Ali Seilat (50 years); Abdel Karim Karouma (78 years); Mohammed Mahjoub (66 years); Mohammed Sullman; Dalil Rahmatallah; Kamal Abdel Karim Mirghani, Ali Habiballah, Kamal Abdel Rahman al-Shiekh, Omar Abdallah, Al-Haj Osman, Taha Mohammed Taha, Abdallah Abdel Aziz, Adil Karar, Abdallah Malik. WFDY is deeply concerned that these persons might be undergoing torture and maltreatment in government custody.

7. According to Sudan Human Rights Organization, some persons were ordered to report to the security offices on a daily basis from 8.00 to 23.00 hrs while others were ordered to report more than once a week for questioning and interrogation. This type of undeclared detention has severely disturbed the professional and family lives of its victims. Persons currently undergoing this undeclared detention are Prof. Abdel Moniem Attia, Al-Sir Mekki, Mohammed Ibrahim Kabag, Mohammed Musa, Mahjoub al-Zubir, Yahia Ali Abdallah, Awad al-Karim Mohammed Ahmed and Nasur Ali Nasur.

Freedom of the press

8. Freedom of expression and the press is under severe siege and curtailment by means of stiff censorship legislation issued in 1993. Despite the fact that only supporters of the Government and loyal journalists are issued licences to practise journalism in the Sudan, the regime showed a great degree of intolerance to criticism from its own supporters and loyalists. In July 1996 the Government controlled Press and Publication Council ordered the shutdown of Al-Rai' Al-Akhar, a privately owned pro-government daily newspaper "for publishing news which offends or demoralizes the Regular Defence Forces". The apparent reason behind this decision dates back to 19 May 1996 when a number of security officers stormed the premises of the newspaper, confiscated about 20,000 copies that were ready for distribution and immediately suspended publication of the paper for two weeks. The newspaper had earlier reported news of a military revolt in Eddewaim Prison, 180 km. south of Khartoum. The revolt was provoked by soldiers jailed in harsh conditions after an alleged coup attempt.

9. This is not the first time that the publication of newspapers has been suspended or banned in the Sudan. In 1994, another pro-government paper Al-Sudani was closed down and its editor, Mahjoub Erroa, and other senior staff members were arrested. On 22 April 1996, the security forces arrested four journalists employed by Sudan Television, Ismael Mohammed Al-Hassan, Husain Salih, Abbas Suliman and Osama Gandi. They were held in a ghost house and denied any visits. These acts violate article 9 of the African Charter on Human and People's Rights and article 19 of the Universal Declaration of Human Rights which state respectively: "Every individual shall have the right to receive information. Every individual shall have the rights to express and disseminate his opinion within the law" and "Everyone has the right to freedom of opinion and expression and to seek, receive and impart information and ideas through any medium and regardless of frontiers".

War affected zones

10. In spite of its apparent support for a peaceful solution to the armed conflict in the Sudan which has been crippling the country since 1983, the Government insists on a military victory to impose its programmes of Islamization and Arabization of the south and the Nuba Mountains. The fighting was seriously intensified by the regime's declared "Jihad" (Holy War). Since the present Government came to power in June 1989, it is estimated that the number of persons who have died as a result of intensified military operations has largely surpassed the number of casualties reported during 30 years of previous wars. In its efforts to gain a military victory, the government army is involved in a policy of massive displacement of civilian population from the south and the Nuba Mountains.

11. The Government's increased dependence on its undisciplined militia groups, widely known as the Popular Defence Forces (PDF), has rendered violations of human rights and fundamental freedoms in the war affected zones unbearable. In his reports (A/50/569 and E/CN.4/1996/62) to the General Assembly and the Commission on Human Rights, the Special Rapporteur on the situation of human rights in the Sudan, Mr. Gaspar Biro, has painted a grim picture of abduction of children and women, enslavement, rape and extrajudicial killings and other gross violations of fundamental rights committed by the government forces in the war affected zones. According to a report of Christian Solidarity International, the Government is using cluster bombs in its attacks against civilian targets in south Sudan. The report states that: "On 17 June 1996, a total of 12 bombs, at least half of them of the cluster bomb type were dropped on Chukudum and its population of 5,500 people (20,000 in the surrounding areas), scattering bomblets which can detonate at any time. Bomblets fell next to the local primary school and the Roman Catholic church. A bomb of a different type exploded 300 metres away from a hospital run by the Norwegian People's Aid.

Youth and students

12. The Government is still following its policy of forced conscription and drafting youngsters into the militia. Thousands of Sudanese youths have been rounded up on the streets of major towns and sent to the war zone for hasty training and speedy dispatch to the battlefields in complete disregard of their basic rights. Young people are usually indoctrinated to go to the battlefields to kill the infidels or die as martyrs (E/CN.4/1996/NGO/42). In education the scenario is similar. The government policy has deprived the universities and institutes of higher education of qualified personnel. Continuous government interference in higher education policies have forced university students to stage many protests and demonstrations. Many students have been arrested and detained on different occasions. Late in July 1996, the Government closed down Omdurman Ahliya University for an unknown period. Indoctrination and orientation programmes have been introduced through major changes in the syllabus at all educational levels.